

ESTTA Tracking number: **ESTTA292119**

Filing date: **06/26/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91186522
Party	Defendant TAISYS TECHNOLOGY CO., LTD.
Correspondence Address	JAMES M SLATTERY BIRCH, STEWART, KOLASCH & BIRCH LLP PO BOX 747 FALLS CHURCH, VA 22040-0747 jms@bskb.com, johnst@bskb.com, mailroom@bskb.com, bg@bskb.com
Submission	Motion to Extend
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Signature	/James M. Slattery/
Date	06/26/2009
Attachments	2009-06-26 Motion for Extension of Time to file Answer.pdf (5 pages)(133408 bytes)

TRADEMARK
4299-0338L

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

TOTAL SYSTEM SERVICES, INC.)	
Opposer,)	
)	
v.)	Opposition No. 91186522
)	
TAISYS TECHNOLOGY CO., LTD)	
Applicant.)	
)	

ATTN: BOX TTAB

MOTION FOR AN EXTENSION OF TIME TO FILE AN ANSWER

The Answer in connection with this Opposition is due on June 26, 2009. The parties have been involved in numerous discussions regarding amendments to the identification of goods in the opposed application in order to avoid any likelihood of confusion. On June 24, 2009, the Applicant sent a letter to the attorney for the Opposer agreeing to the Opposer's proposal regarding an amendment to the identification of goods of the Opposer mark. In this regard, it is the opinion of the undersigned that the present Opposition proceeding has been resolved by the parties. Since a written agreement is needed to complete the negotiations between the parties, Applicant requests that a thirty (30) day extension of time be provided to file the Answer to allow both parties adequate time to complete the drafting and execution of an Agreement.

Although the Applicant requested the consent from the Opposer's attorney in a letter dated June 24, 2009, Applicant has not received any answer from the Opposer's attorney to date. The undersigned, on behalf of the Applicant, has called Mr. Nodine, Mr. Folmar and Mr. Winterfeldt at their different offices and was able to leave a message to Mr. Folmar but was not able to leave messages for Mr. Nodine or Mr. Winterfeldt due to a problem with the telephone voice answering machine of the Opposer's attorneys. The undersigned also sent an email to Mr. Folmar on June 26, 2009, requesting his consent.

Before the present Motion for an Extension of Time to File an Answer is filed, the undersigned offices did not receive any response from the Opposer's three attorneys. Therefore, the present Motion for an Extension of Time to File an Answer is filed without consent.

Due to the fact that the proposals made by the Opposer in order to resolve this controversy have been agreed to by the Applicant, as indicated above, it is the opinion of the undersigned that the present Opposition proceeding has been settled. Additional time is only to permit the parties to draft and execute an Agreement. If approved, the Answer should be due on **July 26, 2009**. All other dates should be moved forward by thirty (30) days.

The present Motion for an Extension of Time to File an Answer is filed just for the purpose set forth hereinabove, not for the purpose for delay.

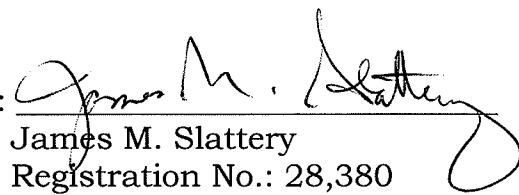
Please charge any fees or credit any overpayment pursuant to 37 C.F.R. § 2.6 to Deposit Account No. 02-2448.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

Date: June 26, 2009

By:


James M. Slattery
Registration No.: 28,380
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

CERTIFICATE OF SERVICE

It is hereby certified that a true and correct copy of the foregoing Motion for an Extension of Time to File an Answer has been served upon the attorney for the Opposer:

Lawrence K. Nodine, Winston T. Folmar
Needle & Rosenberg Intellectual Property Practice
of Ballard Spahr Andrews & Ingersoll LLP
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Via e-mail, and postage prepaid, on this 26th day of June, 2009.

By: Tiffany C. Johnson

APPENDIX

Time to Answer:	July 26, 2009
Deadline for Discovery Conference:	August 25, 2009
Discovery Opens:	August 25, 2009
Initial Disclosures Due:	September 24, 2009
Expert Disclosures Due:	January 22, 2010
Discovery Period Closes:	February 21, 2010
Plaintiff's Pretrial Disclosures:	April 7, 2010
Plaintiff's 30-day trial period ends:	May 22, 2010
Defendant's Pretrial Disclosures due:	June 6, 2010
Defendant's 30-day trial period ends:	July 21, 2010
Plaintiff's Rebuttal Disclosures:	August 5, 2010
Plaintiff's 15-day rebuttal period to close:	September 4, 2010